MANUAL OF INSTRUCTIONS

for Local Registrars and their Deputies

Including

THE UNIFORM VITAL STATISTICS ACT

and

REGULATIONS

of

THE MINNESOTA STATE BOARD OF HEALTH

MINNESOTA DEPARTMENT OF HEALTH
Division of Vital Statistics
ST. PAUL, MINNESOTA
1948

PRESERVE THIS MANUAL FOR REFERENCE

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NOTE:

MANUAL OF INSTRUCTIONS and UNIFORM VITAL STATISTICS ACT are separate documents. Each is separately indexed; and each is numbered from page 1.

Vital Statistics Manual of Instructions for Local Registrars and Their Deputies State of Minnesota

1. The Local Registrar of births and deaths is an extremely important official to the people of his community. His compensation is not large and the difficulties of obtaining accurate and complete registration are sometimes trying; yet, he has a legal obligation to see that every birth and death which occurs in his district is registered with him. The only exception is in cases of illegitimacy. Such births must be reported direct and only to the State Registrar. (M.S. 1945, Sec. 144.159)

   It is hoped that every registrar will discharge with fidelity the vital registration duties which the law requires of him. These duties are set forth under Minnesota Statutes 1945, Section 144.151 - 144.204, and Regulations of the State Board of Health which have the force of law. Briefly, the duties of a Registrar are as follows:

   a. To enforce in his district the Birth and Death Registration Law and Regulations of the State Board of Health. (M.S. 1945, Sec. 144.157, and Regulation 3013.)
   b. To receive and file birth certificates (except those for children born out of wedlock) and death certificates for births and deaths which occur in his district. (M.S. 1945, Sec. 144.191.)
   c. To issue burial and removal permits, upon request. (M.S. 1945, Sec. 144.181.)
   d. To sign transportation of corpse permits. (This is the registrar's permission to ship a body by rail, automobile, airplane or boat.) (Regulation 35.)
   e. To issue disinterment-reinterment permits, upon authorization by the Health Officer. (Regulation 23.)
   f. To receive and read all notices of removal which are filed with him in advance of the death certificate in emergency cases, and to make certain that he receives such certificate promptly. (Regulation 3019.)
   g. To investigate the cause of death under certain circumstances. (M.S. 1945, Sec. 144.164.)

2. Records of births and deaths are of incalculable value. Failure to file even one birth or one death certificate may result in misfortune or tragedy. The Vital Registration Law is a most important law, both as a public health and as a social measure. The protection of the public health and the rights of citizens, including those of children and infants, are jeopardized when physicians, midwives, and funeral directors fail to file promptly correct certificates of birth and death. These records are important legal documents which may be brought into court for the

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settlement of estates. They are also needed for the payment of insurance, pensions, employment, for child welfare and other needs. It is, therefore, exceedingly important that birth and death records be filed promptly and that they contain **accurate information.**

3. APPOINT A DEPUTY. The **first duty** of a Registrar is to **appoint a Deputy** to act in his absence or inability. The appointment must be made in writing. Forms for this purpose may be obtained from the State Department of Health. You will find one with the file of supplies sent you when you took office. Wife, daughter, or other relative of legal age may make an excellent deputy. However, you must make sure that your Deputy will be available when you are absent or ill. You may find it advisable to appoint more than one Deputy.

   If there is a large hospital or institution in your district, you may wish to deputize the superintendent or manager, or one of the staff, to receive birth and death certificates, to issue burial-removal permits, and to sign yellow transportation of corpse permits. (See Section 41 for differentiation between various permits.)

   Deputies are subject to all rules and regulations governing Registrars. If the Deputy is to be paid the reporting fee, he should sign the certificate himself as Deputy Registrar. If the Local Registrar is to receive the fees, he must sign his name personally on each original certificate. Only one person should sign — either the Local Registrar or his Deputy.

4. READ THE LAW. Read the law carefully and mark any passage not thoroughly understood. You can never become too familiar with the law because unexpected questions are likely to arise at any time. If you do not understand any part of the law, ask the Director of Vital Statistics for an interpretation. If you lose your copy, ask for another. Become familiar with the index in your copy of the law.

5. SUPPLIES. The register of births and deaths which all Registrars are required to maintain must be purchased at the expense of the registration district. The cover and blank certificates can be purchased from either Walter S. Booth & Son or Miller-Davis Company of Minneapolis. They can be purchased from any company which meets the requirements and specifications of the State Board of Health on forms. All necessary blanks and forms, other than the birth and death register, are required by the law to be supplied by the State Department of Health at the expense of the State.

6. SIGNING ORIGINAL CERTIFICATES. The Vital Statistics Law (M.S. 1945, Sec. 144.191) requires the Registrar or his Deputy to "subscribe" each original certificate which he files officially. This means that he must sign his name in his own handwriting. Do not use a rubber stamp.

7. DATING ORIGINAL CERTIFICATES. The filing date must be entered on every certificate filed by the Registrar. This is the date the Registrar receives the certificate. It must be entered correctly. It marks the date

upon which the certificate becomes a public legal document. From that time the law safeguards its value as evidence. The legal rights of an individual may depend upon the filing date you have placed on a certificate of birth or death.

This date is significant in another respect. It reveals whether or not physicians, funeral directors, and sub-registrars are complying with the law in filing certificates with you on time.

8. NUMBERING CERTIFICATES. Birth and death certificates must be numbered in separate series beginning with No. 1 for the first birth and the first death occurring in each calendar year. If you have not done this, number the copies in your register at once, and see that every certificate is properly numbered thereafter. Tardily filed certificates and delayed registrations for persons **under four** years of age should be given the next open consecutive registration number. They should be very carefully indexed so that they can be quickly located. You will receive the regular fee for all tardily filed certificates if they do not prove to be duplicates, and for delayed registrations of birth **made for children under four years of age,** but the law does not authorize you to register delayed registrations made for children more than four years of age. Such registrations must be filed direct with the Clerk of the District Court where birth occurred, except for the cities of Minneapolis, St. Paul and Duluth.

9. REGISTER AND FILE ONLY RECORDS FOR BIRTHS AND DEATHS WHICH OCCUR IN YOUR OWN DISTRICT. Births and deaths must be registered in and reported from the district in which they occur, regardless of the usual place of residence of the parents in case of birth, or of deceased in case of death, or place of burial. When birth or death certificates for other districts are filed with you by error, please return them to the doctor or funeral director at once, telling him of his mistake in filing them with you; **but never return them for any other reason.** Once filed with you, they become an official document. Their next transmission is to the Clerk of the District Court at your county seat.

10. EXAMINE CERTIFICATES WHEN FILED. Examine all certificates you receive. (Remember that each city, village, and township is a separate and distinct registration district.) If more than one registration district is entered in the upper left-hand corner and the certificate is for your district, strike out the name of the district which does not apply and initial the correction to show that you made it. Make sure that the county is accurately entered.

11. DO NOT ALTER ORIGINAL CERTIFICATES other than as described above, and never hold them up when they are incomplete or inaccurate; but call the irregularities to the attention of the State Department of Health in an attached signed memorandum. Either the Clerk of the District Court or the Department of Health will get the facts.

12. COPY ORIGINAL CERTIFICATES EXACTLY into your register, being careful that the registration number and filing date on original and your

copy agree, and that you sign both. Carefully index every certificate. See that your register is up to date; that its certificate forms are like those upon which the original birth and death records are registered. You may be required to issue a certified copy of any record; therefore, the copy in your register must be exactly like the original. **Preserve your birth and death registers carefully.** If possible, keep them and original certificates in a fireproof safe or vault. The records should never leave your custody. If they are stored for safety in the vault of any other public official, that official cannot be held responsible for their custody, nor can he legally issue a certified copy of any record unless you have deputized him to act for you.

You must always safeguard the confidential nature of the records. Previous to the year 1939 birth and death records for children born out of wedlock were filed with Local Registrars. It is the opinion of the Attorney General that when birth and death records for children born out of wedlock are bound in the same volume with those for children born in wedlock, that the entire volume is confidential. It cannot be placed in the hands of anyone for examination. It should not leave the custody of the Local Registrar until he turns it over to his successor.

13. TRANSMISSION OF CERTIFICATES RECEIVED TO CLERK OF THE DISTRICT COURT. Tuesday and Friday of each week are the days on which Registrars are to transmit certificates filed with them to the Clerk of the District Court. Certificates filed from Friday to Monday evening of the following week must be forwarded on the next Tuesday. Likewise, certificates received from Tuesday through Thursday night of each week must be forwarded to the Clerk of the District Court on Friday morning. This applies to all Registrars, whether in a township, village or city.

14. WHEN NEITHER BIRTHS NOR DEATHS HAVE OCCURRED IN ANY GIVEN MONTH in your district, the State Board of Health requires you to report that fact to the Clerk of the District Court on the 5th day of the month following. Cards will be supplied for this purpose by the State Department of Health, either directly or through the Clerk of the District Court if he so desires.

15. REGISTRAR'S "REPORT FOR THE MONTH OF ....." DEFINED. All certificates are credited in the office of the Clerk of the District Court or the State Registrar to the month in which the birth or death occurs. For example: The January report covers certificates for births and deaths which occurred in the month of January, no matter when received by you. If received in March, they are still a January report because the events occurred in January.

16. ALTERATION OF REGISTRAR'S COPY OF CERTIFICATE IN LOCAL REGISTER. Regulation 3010 of the State Board of Health reads:

> "Local registrars may correct birth or death records in their custody only upon authorization by the State Registrar. Provided, however, that they may add the given name to their copy of any birth certificate which has been on file one year or less upon receipt of a supplemental report.

Certified copies of records corrected by the local registrar shall show the corrections in the same manner as is provided for herein for the State Registrar and clerks of district court."

The manner referred to in the above Regulation means that corrections must be made in red ink, and if a certified copy is made of any such corrected record, the red-ink corrections must also appear on the copy.

When an individual wants a certificate corrected and the correction covers more than the given name, or the child is more than one year of age, refer such individual to the Clerk of the District Court or to this Department.

17. SEEK COOPERATION FROM THOSE WHO MUST REPORT TO YOU. The responsibility for complete birth and death registration for your district rests upon you by law. (See M.S. 1945, Sec. 144.157.) In your official capacity make yourself known to physicians, funeral directors, sub-registrars, and others who must report to you. Telephone or call upon them if possible. Be sure that they have correct information as to your name and address. When your Deputy acts for you, let it be known, Run a notice in the local newspaper. Keep those who must report to you informed. See that sub-registrars who issue burial permits sign and date the death certificate in the right-hand margin so that you will know that a burial permit was issued, who issued it, and when. Call upon sextons or other cemetery officials in your community. Talk over the burial permit law. Ask if they are demanding a permit in advance of burial, as required. If you find that they are not, notify the State Department of Health. Such information will be held strictly confidential.

18. Do not fail to send all original certificates, notices of removal, and any supplemental reports to the Clerk of the District Court with your regular shipment. Physicians have 5 days in which to file birth certificates with you. Sub-registrars have 3 days after they have issued the burial permit in which to file death certificates with you. Do not be tardy in your report to the Clerk of the District Court. If you are tardy, you will delay the work which he must do on these records. Minnesota Statutes 1945, Section 144.201, requires the Clerk of the District Court to verify the correctness of birth certificates filed by communicating with the parents. Upon receiving a notice of error from them, the Clerk must, after being satisfied of the facts, make any necessary corrections. The Clerk of the District Court must also make an exact duplicate of each birth and death certificate filed for his records, as well as an abbreviated recording called the county record. All of this work takes time; therefore, be prompt in sending certificates to him so that he can do the work which the law requires him to do in time to transmit all original certificates received to the State Department of Health on the 11th of the month following receipt by him.

19. REPORT PROMPTLY ANY VIOLATION OF THE LAW. Section 144.157 of the Minnesota Vital Statistics Law reads as follows: " . . . All

local registrars shall immediately report to the state registrar violations of sections 144.151 to 144.204 or the regulations of the board, and under the supervision of the state registrar shall cause all the provisions of such sections and regulations of the board to be enforced. . . . "

This provision makes it mandatory for you to make certain that you receive a certificate for every birth (except for children born out of wedlock) and every death which occurs in your district. If you know of any births or deaths which have occurred in your district for which you have not received a certificate, report that fact to the State Department of Health by direct communication, 469 State Office Building, St. Paul 1, Minnesota. In so reporting, please furnish the date of birth or of death, names of parents and of attending physician or midwife in case of birth, and in case of death, the full name of deceased and the name and address of funeral director or embalmer in charge of remains.

20. PENALTY FOR VIOLATION OF THE LAW. Physicians who fail to file birth certificates or to supply the medical portion of the death certificate when it is their duty to do so may be prosecuted in the courts of the State, or summoned before the State Board of Medical Examiners for discipline.

Any Embalmer or Funeral Director who fails to file a death certificate or obtain a burial permit and, when necessary, a transportation of corpse permit, and file such as required by law may be prosecuted in the courts of the State, or summoned before the State Board of Health to show cause why his license should not be revoked.

Any Sub-registrar who neglects his duty and violates the law by not filing death certificates with Local Registrars within 3 days after issuing the burial permit may be prosecuted in the courts or may be removed from office, and will thereafter have to go to the Local Registrar of the district where death occurred for burial-removal permits. (Note: A Sub-registrar has no authority to sign a transportation of corpse permit for the Local Registrar, nor has he authority to issue a burial permit where death occurred out of state (M.S. 1945, Sec. 144.182), or to issue disinterment-reinterment permits (Regulation 23). The Local Registrar or his Deputy must sign such permits.)

Local Registrars who neglect or refuse to perform the duties laid upon them by the law may be prosecuted or, after a public hearing, be deposed from the office of Registrar by the State Registrar. The expense incurred in collecting the records for the delinquent district, and for appointing and instructing a successor to the deposed Local Registrar, may be charged to that district, and when so charged must be paid. The responsibility for such expense to any district rests upon the Registrar who has neglected his duty.

21. FEES. The Local Registrar or his Deputy is entitled to the sum of fifty cents for each birth and death certificate which he records and sends to the Clerk of the District Court, provided the birth or death occurred in his registration district. The same fee is allowed for each "no report" card mailed to the Clerk of the District Court.

On or about January 1 of each year the Clerk of the District Court will send each Local Registrar in his county a check for the amount of money due him for his services as Registrar for the previous year. Remember that as certificates are signed; i.e., by Registrar or Deputy, so are they credited for payment by the Clerk of the District Court.

BIRTH CERTIFICATES

22. BIRTHS. A legal birth certificate must be filed for every infant, whether born alive or born dead, if pregnancy has completed twenty (20) weeks. The physician or midwife in attendance is required to make and file the certificate within 5 days after birth with the Registrar of the district (city, village, or township) in which the mother was confined, regardless of her usual place of residence. If there is no physician or midwife, one of the parents must make the report.

23. PLURAL BIRTHS. Twins, triplets, or other plural births must be reported on separate certificates, and each certificate given its own separate registration number and entered separately in the local record book.

24. STILLBIRTHS. Infants born dead, which have completed 20 weeks of gestation, must be reported as both a birth and as a death. Registrars should make sure that they receive both a birth and a death certificate for these cases. When no physician or midwife has attended the birth, one of the parents must make, sign and file the birth certificate. The personal information for the death certificate must be obtained by the funeral director, if one is employed. If none is employed, the Registrar should obtain all the personal and statistical facts needed for the death certificate from the parents, and see to it that one of the parents signs the certificate as "Informant" in the lower left-hand portion. When there is no atending physician, the medical part of the death certificate must be treated as "Death Without Medical Attendance." (See Section 35 for further information on death without medical attendance.)

25. ILLEGITIMACY EXCEPTION. Birth records for children born out of wedlock are not to be filed with the Local Registrar. They are to be filed only with the State Registrar. Death records for children born out of wedlock must be filed with the Local Registrar in order to obtain a burial-removal permit. The purpose of filing birth records for children born out of wedlock with the State Registrar direct is to protect the child from disclosure of the fact of illegitimacy. If the child dies, it will not suffer from disclosure of this fact. In any case, a burial-removal permit must be obtained before burial, and it can be obtained only after a death certificate is filed. A burial permit is the receipt for a death certificate. The law forbids the Local Registrar, the Clerk of the District Court, and the State Registrar, or any person connected with the office of either, to disclose the fact that any child was born out of wedlock or to issue a certified copy of any such birth or death certificate, unless ordered to do so by the District Court of Minnesota. For this reason your birth and death registers for the years before 1939, when illegitimate births were

reported to Local Registrars, should not leave your possession nor be placed in the hands of others for examination.

26. FOUNDLING CHILD OF UNKNOWN PARENTAGE. Whoever finds a child of unknown parentage must report the fact to the Local Registrar of the district where the child is found, whereupon the Registrar must make a birth certificate, using the regular form and recording thereon the facts as follows:

> "Section 144.162. Subdivision 1. . . . (a) the date and place of finding or assumption of custody; (b) sex; color or race; and approximate age of child; (c) name and address of the person or institution with whom the child has been placed for care, and (d) name given to the child by the finder or custodian.
>
> "Subd. 2. The place where the child was found or custody assumed shall be known as the place of birth and the date of birth shall be determined by approximation.
>
> "Subd. 3. The report shall constitute the certificate of birth."

The Registrar is to record the birth and send the original certificate to the Clerk of the District Court on the following Tuesday or Friday, whichever day his next report must be sent. If later the facts of birth come to light, the State Registrar must be notified so that a proper birth record can be made and the first one withdrawn.

27. BIRTH CERTIFICATES FILED WITHOUT GIVEN NAME OF CHILD. If a birth certificate is filed without the given name of the child, the law requires the Clerk of the District Court to obtain it. It also requires him to verify the spelling of names, dates, etc., and to correct errors after having been directed to do so by the parents. The present law makes no provision for certifying back to Local Registrars corrections or information received by Clerks of the District Court. If any Local Registrar desires to enter on his register names which have been obtained by the Clerk of the District Court, it is suggested that he discuss the problem with the Clerk of the District Court or the State Registrar. In this way it will be possible to plan for completing local records.

28. DO NOT DELAY IN TRANSMITTING ORIGINAL RECORDS. Original certificates should never be held up by physician, midwife, parents, or local registrar awaiting the given name of the child or other information. The law requires the original certificate to be in the Local Registrar's hands within 5 days. He, in turn, must forward it to the Clerk of the District Court not later than the following Tuesday; or, if received after Tuesday, not later than the following Friday.

DELAYED REGISTRATION OF BIRTH

29. A birth certificate filed subsequent to six months after the time required for filing (within 5 days after birth) is described by the statute as a delayed registration. For convenience in handling delayed registrations, the State Board of Health has by a regulatory measure divided them into

two groups: (1) Those registrations made for children between the ages of six months and four years; (2) Those registrations made for persons who are older than four years.

Group 1 for children up to four years of age are to be made on the regular birth certificate form which should be marked **Delayed Registration.** It should be filed with the Local Registrar in the usual way. Group 2 must be filed with the Clerk of the District Court on special forms which he will provide. (See Regulation 3011.)

30. BIRTH RECORDS OF LEGITIMIZED CHILDREN. The State Registrar is empowered to make a "new" birth certificate for children born out of wedlock whose parents subsequently marry each other. When this is done, the original certificate must be sealed by the State. The seal may thereafter be broken only upon receipt of a court order. Interested persons should be referred to the Division of Vital Statistics, Minnesota Department of Health.

31. ADOPTIVE BIRTH CERTIFICATES. The State Registrar is empowered under the law of Minnesota to make a "new" or replacement birth certificate for any person born in Minnesota and adopted either in Minnesota or in any other state. Interested persons should be referred to the Division of Vital Statistics, Minnesota Department of Health.

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DEATH CERTIFICATES

32. DEATH CERTIFICATES. It is illegal to remove the body of a deceased person from the registration district in which death occurred to cremate, inter, deposit in a vault or tomb, or otherwise dispose of, or hold the body for more than 72 hours after death unless a complete death certificate has been filed with the Local Registrar (or his Deputy) of the district where death occurred, or with a Sub-registrar, and a burial-removal permit issued. (See Section 39 for definition of Sub-registrar, and Section 41, Subdivision c, for authority to remove upon notice of removal.)

33. PREPARATION OF DEATH CERTIFICATE. The funeral director or embalmer who has charge of the funeral or prepares the body for burial must obtain and file a **complete** death certificate with the proper registration official and obtain the necessary permits.

34. MEDICAL CERTIFICATE. The attending physician is required by law to make out and sign the medical portion of the death certificate. If the physician cannot be reached to sign the certificate, the funeral director must notify the Local Registrar, and the Local Registrar must inform the Local Health Officer, referring the case to him for immediate investigation and certification of the cause of death prior to issuing the permit for burial, cremation, transportation, or other disposition of the body. If there is no Medical Health Officer, the Local Registrar may complete the certificate on the basis of information received from relatives of

deceased or others having knowledge of the facts. If, however, the circumstances suggest that death was caused by other than natural causes, the case must be referred to the coroner for investigation.

If the cause of death cannot be determined by the physician or other, the attending physician or coroner may file with the State Registrar a statement of the cause when determined; but the physician or coroner must give the Local Registrar or the Sub-registrar with whom the death certificate is filed, written notice for the reason of the delay in obtaining the cause of death so that the Registrar or Sub-registrar can issue a permit. (M.S. 1945, Sec. 144.165.)

The physician may place his notice of delay on the back of the certificate, or if there is an autopsy pending, he may write in the certificate, "Autopsy pending," sign it, and file it with the Local Registrar. The State Registrar will obtain the cause of death later.

35. DEATH WITHOUT MEDICAL ATTENDANCE. When there is no physician in attendance and the death is not one for the coroner to investigate, the Local Registrar must be notified. He in turn will notify the Local Health Officer, or if there is no Local Health Officer, he will obtain the cause of death as described in Section 34.

36. **The coroner must sign the medical certificate** whenever he investigates the cause of death. Death from criminal violence should be investigated by the coroner, but it is for him to decide whether or not he must investigate. No one can order him to do so. (Special laws applicable only in Hennepin, Ramsey, and St. Louis Counties broaden the coroner's duties.)

37. If the physician cannot be reached in order to make out and sign the medical portion of the death certificate before burial or shipment, but is expected to return in a day or so, and has not left another physician in charge of his patients, the Local Registrar, if satisfied of the facts as presented by the funeral director, may file the incomplete death certificate, and issue a burial, removal or transportation permit. He should forward the incomplete death certificate to the Clerk of the District Court. When the incomplete certificate reaches the State Registrar, he will communicate with the physician and obtain the missing data, after which he will notify both the Local Registrar and the Clerk of the cause of death.

38. REGISTRAR'S DUTY IF NO EMBALMER OR FUNERAL DIRECTOR IS EMPLOYED. When there is no embalmer or funeral director, the Local Registrar should make out the death certificate, obtaining the necessary information from the nearest of kin, and request the nearest of kin to sign the certificate in his own handwriting in the space given over for the signature of the informant. The fact that there was no funeral director should be stated in that part of the certificate provided for such signature. If there was an attending physician, he should sign the death certificate, unless it was a coroner's case. If there was no physician and the coroner does not consider it his duty to investigate, the Local Registrar should refer the case to the Health Officer. If there

is no Health Officer, the Registrar must certify to the cause of death from information given him by relatives of the deceased or others having knowledge of the facts.

39. SUB-REGISTRARS are licensed embalmers who have been granted the appointment of Sub-registrar by the State Department of Health after having passed a special examination on the Vital Registration Law. This appointment grants authority to issue burial-removal permits. When a Sub-registrar issues such a permit, he must first have a complete death certificate in his possession, and he must sign and date the certificate in the right-hand margin. This act makes it perfectly clear to the Local Registrar that a permit has been issued, who issued it, and when. The Sub-registrar must forward the death certificate within 3 days after the permit is issued to the Local Registrar of the district where death occurred. Sub-registrars who violate the law and become careless about observing this three-day requirement may be prosecuted in the courts, or may lose their appointment, or both. The title Sub-registrar must not be confused with the title Local or Deputy Registrar. The last two are local officials whose jurisdiction does not extend beyond their own registration district. The jurisdiction of a Sub-registrar is state-wide, except that he may not issue burial-removal permits in a city having a local ordinance which requires that burial-removal permits are to be issued only by the Local Registrar (Health Officer) of that city. Such an ordinance exists in some of the larger cities.

40. REMEMBER THAT THE DEATH CERTIFICATE MUST BE FILED IN THE DISTRICT WHERE DEATH OCCURS. Should some resident of your registration district die while temporarily away from home, the death certificate must be made out and filed with the Local Registrar at place of death.

PERMITS

41. Difference between:

Burial-Removal Permit.
Transportation of Corpse Permit.
Notice of Removal.

a. BURIAL-REMOVAL PERMIT (White form). This form must be used for every person dying in Minnesota, regardless of where burial is to be made. It is issued by a Local or a Sub-registrar and is:

1. The receipt for a death certificate.
2. Authority to bury locally within Minnesota, or in case of removal, to bury at destination in Minnesota, unless such destination is a city having a local ordinance which prohibits anyone other than the Registrar of that city to issue a permit to bury therein, in which case the initial burial-removal permit is filed with that Registrar and he issues a permit for local burial.

b. TRANSPORTATION OF CORPSE PERMIT (Yellow form). This form must always be accompanied by the white burial-removal permit. The transportation of corpse permit is sometimes referred to as the yellow transit permit. This form is not supplied to Local Registrars. It may be used only by an embalmer holding a Minnesota license. He must fill it out and present it for signature to the Local Registrar either of the district where death occurred or of that into which the body is legally brought and from which shipment is to be made. The Registrar must satisfy himself that the remains have been prepared for shipment by a licensed embalmer. (Regulation 30.) The Registrar's signature constitutes official authority to transport the body. Any one of the following is considered transportation or shipment: Removal of a body OUT of the State; removal any distance by common carrier, i.e., railway, baggage or express, bus, or other public conveyance; or removal by automobile, wagon, or other private conveyance when the points of shipment and destination are separated by three or more organized townships or incorporated villages or cities, and there is daily railway passenger and express service between the points.

Note: A shipping or transportation case involves a possible hazard to public health; therefore, in order to safeguard the public health, the law stipulates that only a licensed embalmer may prepare remains for shipment. The embalmer must state in writing that he has prepared the body as required under the Regulations of the State Board of Health relating to transportation, and he must have authority from the Local Registrar to transport; hence, the Registrar's signature on the transit permit. Registrars should satisfy themselves that these transit permits have been signed by a licensed embalmer before they authorize transportation by their signature on the permit. Every licensed embalmer is furnished with a pocket identification card, issued by the Board, certifying that he is licensed as an embalmer. A list of embalmers holding a Minnesota license will be sent Local Registrars upon request.

It is important for each Local Registrar to have a Deputy Registrar available to sign transportation permits in his absence.

c. NOTICE OF REMOVAL. When it is impossible without GREAT DELAY to obtain a death certificate or necessary permits, the body of a deceased person may be removed from the district where death occurred, provided that the funeral director or embalmer removing it makes out a written notice of removal stating therein that he removed the body and why he was unable to get the necessary papers. This notice must be delivered or mailed to the Local Registrar AT ONCE and before removing the body. The certificate and the permits required in the case must be obtained and filed before the body is buried, cremated, further transported, or otherwise disposed of. The Registrar must sign the notice and insert the date of receipt as soon as he receives it,

and attach it to the death certificate when the certificate is filed with him. Both the notice and the death certificate must be forwarded to the Clerk of the District Court within the time required. The Clerk of the District Court must in turn forward both documents to the State. If the Local Registrar does not receive the death certificate, he should immediately forward the notice **to the State Registrar,** not to the Clerk of the District Court, with a note advising the State Registrar that the certificate has not been filed with him. If Registrars are careful to date these notices when received, and will notify the State Registrar of any laxness on the part of funeral directors and embalmers in subsequently filing death certificates, the State Registrar will investigate the situation and correct it.

42. LOCAL REGISTRAR TO PERMIT BURIAL OF BODIES SHIPPED INTO MINNESOTA. When the body of a person who has died outside the State is shipped into Minnesota, the Local Registrar where burial is to take place must file the papers which accompany the body and issue in exchange a permit to bury, noting thereon that the body was brought in for interment. If no papers accompany the remains, he should satisfy himself as an official that everything is in order, then proceed to issue a burial permit, noting on it that no papers accompanied the remains.

43. PERMITS FOR UNORGANIZED TOWNSHIPS. When death occurs in an unorganized township, the burial-removal permit may be issued by any Sub-registrar or by the Local Registrar of the organized township or incorporated village or city from which shipment is made. Sub-registrars have no authority to sign the yellow transportation permit and grant permission to ship or transport in auto hearse. Only Local Registrars or their Deputies have this authority.

44. SEXTONS. It is illegal for the sexton, or other person in charge of burying grounds, to allow the burial of a body until he receives a burial-removal permit. If you know of any cemeteries in your district which have no sexton or other person in charge, notify the State Department of Health, giving all possible information so that arrangements may be made for the disposition of permits or the appointment of a sexton.

45. DISINTERMENT — REINTERMENT.

a. Cemetery authorities may transfer a body from one grave to another in the same cemetery with the approval and under the supervision of the Local Health Officer.

b. Only a licensed embalmer may disinter; i.e., exhume and remove body from one cemetery to another.

c. He must first

1. Get permission from the Local Health Officer, who then shall
2. Notify the Local Registrar of his approval, either orally or in writing.
3. The Local Registrar shall issue a disinterment-reinterment permit and give it to the embalmer in charge of the remains.

For this purpose the usual burial-removal permit form is used with the words "disinterment-reinterment" written thereon.

d. Embalmer must file a disinterment-reinterment permit with the sexton of the cemetery where body is to be reinterred.

e. A permit for disinterment issued **within the State** acts as a permit for burial at place of burial.

f. Transportation of corpse permit may be needed also. For further information read Section 41, Subdivision b.

* * * * * *

46. CERTIFIED COPIES. The law authorizes Local Registrars to issue certified copies of birth and death records. Registrars should, therefore, have a supply of certified copy forms bearing the proper legal certification statement. Such forms can be purchased where you buy your register of births and deaths. When legally possible, you should have an official seal and should affix it to every certified copy which you issue. The certification should always state that you have compared the copy you issue with the record on file in your office for the person therein named, and that it is a true and correct copy. **It is illegal to issue a certified copy of a birth or death record of a child who was born out of wedlock, unless you are ordered to do so by the District Court.** (See Section 48.)

47. INDICATE CORRECTIONS ON YOUR CERTIFIED COPIES. When you issue a copy of a record which you have corrected **only after receiving authority to do so from the State Registrar,** indicate the corrections in red ink on the certified copy which you issue. This is required by the law of Minnesota. Copy the information as it was given in the first place; then strike it out with red ink and write the correct information above it or beside it in red ink. Place a star after the correction and in a starred marginal note indicate the date on which the supporting affidavit of correction was filed and the name of the person who filed it. Add to the certified copy you issue the following statement: "The law of Minnesota requires that certified copies of corrected records must show such corrections in red ink." Sign this statement with your title.

48. FEES FOR CERTIFIED COPIES. You are entitled to a fee of $1.00 for each copy which you issue, to be paid by the applicant. These fees do not have to be paid into the public treasury unless you have a local ordinance requiring it.

Certified copies required to satisfy a veteran's claim made to the Veterans Administration, or required in connection with service in the armed forces of the United States, must be issued without fee to the applicant, but the township, village or city concerned is required by law to pay such fee to the Local Registrar. (M.S. 1945, Sections 144.168 and 144.169.)

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THE UNIFORM VITAL STATISTICS ACT

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Minnesota Statutes 1945, as amended by Laws 1947, Chapter 517, relating to the collection, recording and preservation of Vital Statistics, their use as evidence and penalties for violating

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144.151 **Definitions for Sections 144.151 to 144.204.** Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of sections 144.151 to 144.204, shall be given meanings ascribed to them.

Subd. 2. "Vital statistics" includes the registration, preparation, transcription, collection, compilation and preservation of data pertaining to births, adoptions, legitimations, deaths, stillbirths, and data incidental thereto.

Subd. 3. "Live birth" means the birth of a child who shows evidence of life after the child is entirely outside the mother.

Subd. 4. "Stillbirth" means a birth after 20 weeks of gestation which is not a live birth.

Subd. 5. "Dead body" means lifeless human body or such parts of the human body or the bones thereof from the state of which it reasonably may be concluded that death recently occurred.

Subd. 6. "Person in charge of interment" means any person who places or causes to be placed a stillborn child or dead body or the ashes, after cremation, in a grave, vault, urn or other receptacle, or otherwise disposes thereof.

[1945 c. 512 s. 1]

144.152 **Board Shall Establish Division; Install System; Make Rules.** The state board of health shall:

Establish a division of vital statistics with suitable offices properly equipped for the preservation of its official records;

Install a statewide system of vital statistics;

Make and may amend necessary regulations, according to Section 144.12, give instructions and prescribe and furnish at the expense of the state forms for collecting, transcribing, compiling and preserving vital statistics provided that the book of record for the local registrar shall be paid for by the city, village, or town comprising the registration district; and

Enforce sections 144.151 to 144.204 and the regulations made pursuant thereto.

[1945 c. 512 s. 2]

144.153 Regulations; Effective Date. The regulations of the board, upon the approval of the attorney general, shall take effect 30 days after publication and filing with the secretary of state.

[1945 c. 512 s. 3]

144.154 Primary Registration Districts. Each town, village and city shall, for the purposes of sections 144.151 to 144.204, constitute a primary registration district, provided the state registrar may establish registration districts comprised of one or more unorganized towns and appoint registrars for them, and with the consent of the respective town boards or municipal councils, combine two or more primary registration districts and appoint registrars for them.

[1945 c. 512 s. 4]

144.155 State Registrar; Compensation. The board shall appoint a qualified state registrar of vital statistics whose compensation shall be fixed under such provisions as may be provided by other provisions of the statutes.

[1945 c. 512 s. 5]

144.156 Supervision; Enforcement; Employees. The state registrar, under the supervision of the board, shall have charge of the division of vital statistics and be the custodian of all its files and records, and perform the duties prescribed by the board. He shall enforce sections 144.151 to 144.204 and the regulations of the board and have supervisory power over local registrars. He shall submit to the board reports of the administration of such sections. He may appoint and, at his pleasure, remove one or more employees of the board as deputy state registrars who shall render such aid as he may require of them.

[1945 c. 512 s. 6]

144.157 Local Registrar; Deputies; Report; Enforcement. The town and village clerk, and in cities the health officer, shall be the local registrar. A local registrar with the approval of the state registrar may appoint and remove deputies. All local registrars shall immediately report to the state registrar violations of sections 144.151 to 144.204 or the regulations of the board, and under the supervision of the state registrar shall cause all the provisions of such sections and regulations of the board to be enforced. Any local registrar who neglects or refuses to perform the duties imposed upon him by such sections shall be superseded by another to be appointed by the state registrar in his place.

The board, upon the recommendation of the state registrar, may appoint and remove sub-registrars to receive certificates of death and issue burial

permits in any designated territory. They shall be subject to the supervision of the state registrar.

[1945 c. 512 s. 7]

144.158 **Board to Provide Assistance.** The board shall provide other necessary assistance and determine the status, compensation and duties of persons thus employed in conformance with the provisions of the state civil service law.

[1945 c. 512 s. 8]

144.159 **Filing of Birth Certificate.** Within the time prescribed by the board a certificate of every birth shall be filed with the local registrar of the district in which the birth occurred, by the physician, midwife, or other legally authorized person in attendance at the birth; or if not so attended, by one of the parents.

Provided that the birth certificate of an illegitimate child shall be filed by the attending physician, midwife, parent, or other, directly with the state registrar.

[1945 c. 512 s. 9]

144.161 **Delayed or Altered Certificates.** If neither parent of the newborn child whose birth is unattended as above provided is able to prepare a birth certificate, the local registrar shall secure the necessary information from any person having knowledge of the birth and prepare, record, and file the certificate. In such cases the board shall prescribe the time within which a supplementary report furnishing information omitted from the original certificate may be returned for the purpose of completing the certificate. Certificates of birth completed by such a supplementary report shall not be considered "delayed" or "altered."

[1945 c. 512 s. 10]

144.162 **Contents of Certificates.** Subdivision 1. Whoever first assumes the custody of a child of unknown parentage shall immediately report to the local registrar who shall immediately make and file a certificate stating: (a) the date and place of finding or assumption of custody; (b) sex; color or race; and approximate age of child; (c) name and address of the person or institution with whom the child has been placed for care, and (d) name given to the child by the finder or custodian.

Subd. 2. The place where the child was found or custody assumed shall be known as the place of birth and the date of birth shall be determined by approximation.

Subd. 3. The report shall constitute the certificate of birth.

Subd. 4. If the child is identified and a regular certificate of birth is

found or obtained, the report shall be sealed and filed and may be opened only by court order.

[1945 c. 512 s. 11]

144.163 **Certificate of Death or Stillbirth.** A certificate of every death or stillbirth shall be filed before interment or in any case within five days after the occurrence is known with the local registrar of the district in which the death or stillbirth occurred or with a sub-registrar; or if the place of death or stillbirth is not known then with the local registrar of the district in which the body is found, or a sub-registrar, within 24 hours thereafter. In every instance a certificate shall be filed prior to interment or other disposition of the body.

[1945 c. 512 s. 12]

144.164 **Death Certificates.** Subdivision 1. **Time of filing.** The funeral director or other person taking charge for preparation of a dead human body for interment or other disposal shall file with the local registrar of the district in which the death or stillbirth occurred or the body was found, or with a sub-registrar, a certificate of death or stillbirth before interment or in any case within five days after the occurrence.

Subd. 2. **Statement as to autopsy; statement of physician.** In preparing a certificate of death or stillbirth the person in charge of such preparation shall obtain and enter on the certificate the personal data required by the board and a statement as to whether or not an autopsy was performed on such body from the persons best qualified to supply them and which persons shall sign the certificate as the informants. He shall present the certificate of death to the physician last in attendance upon the deceased or to the coroner having jurisdiction who shall thereupon certify the cause of death according to his best knowledge and belief. He shall present the certificate of stillbirth to the physician, midwife, or other person in attendance at the stillbirth, who shall certify the stillbirth and such medical data pertaining thereto as he can furnish.

Subd. 3. **Procedure prior to burial.** Thereupon the funeral director or person in charge for such preparation shall notify the appropriate local registrar if death occurred without medical attendance, or in case he is unable to secure such certification by the physician last in attendance. In such event the local registrar shall inform the local health officer and refer the case to him for immediate investigation and certification of the cause of death prior to issuing a permit for burial, cremation, transportation or other disposition of the body. When there is no medical health officer for such registration district, the local registrar may complete the certificate on the basis of information received from relatives of the deceased or others having knowledge of the facts. If the circumstances suggest that the death or stillbirth was caused by other than natural causes, the local registrar shall refer the case to the coroner for investigation and certification.

[1945 c. 512 s. 13]

144.165 **Delayed Certification.** If the cause of death cannot be determined before interment or other disposition of the body, or in any case within five days, the certification of its cause may be filed after the prescribed period, but the attending physician or coroner shall give the local registrar of the district in which the death occurred, or the sub-registrar, written notice of the reason for the delay in order that a permit for the disposition of the body may be issued.

[1945 c. 512 s. 14]

144.166 **Form and Use of Certificate.** The form of certificates shall include as a minimum the items required by the respective standard certificates as recommended by the United States Bureau of the Census subject to approval of and modification by the board. The form and use of such certificate shall be subject to the provisions of section 144.175.

[1945 c. 512 s. 15]

144.167 **Prima Facie Evidence.** Certificates filed within six months after the time prescribed therefor shall be prima facie evidence of the facts therein stated. Data therein pertaining to the father of a child are prima facie evidence only if the alleged father is the husband of the mother; if not, the data pertaining to the father of a child are not evidence in any proceeding adverse to the interests of the alleged father, or of his heirs, next of kin, devisees, legatees or other successors in interest, if the paternity is controverted.

[1945 c. 512 s. 16]

144.168 **Certificates Furnished to Public.** Subdivision 1. Subject to the requirements of sections 144.172, 144.174, and 144.175, the state registrar, any clerk of district court, or any local registrar shall, upon request, furnish to any applicant a certified copy of any certificate, or any part thereof.

Subd. 2. Copies of the contents of any certificate on file in the division of vital statistics or in the office of any clerk of district court or on file with any local registrar, or any part of any such certificate, certified by the state registrar, a clerk of the district court, or a local registrar, as the case may be, shall be considered for all purposes the same as the original, subject to the requirements of sections 144.172, 144.174 and 144.175.

[1945 c. 512 s. 17]

144.169 **Fees; Deposited with State Treasurer.** Subdivision 1. The applicant shall pay a fee of $1.00 for each certified copy of a birth or death record. Provided that a fee shall not be charged for any certified copy needed in connection with service in the armed forces or the Merchant Marine of the United States or in the presentation of claims to the United States Veterans Administration or the official veterans administration of any state or territory of the United States.

Subd. 2. When the salary of the officer issuing a certified copy under sections 144.151 to 144.204 consists in whole or in part of fees authorized by law,

such officer shall be paid the legal fee therefor by the governmental subdivision of which he is an officer, and the governing body thereof is authorized and directed to order such payment made from the general revenue funds thereof.

Subd. 3. The state registrar shall keep an account of all fees received and turn the same over to the state treasurer according to law.

[1945 c. 512 ss. 18, 19]

144.171 **Delayed Certificate; Proof.** A birth certificate of a person born in this state or a death certificate of a person who died in this state may be filed or amended after the time herein prescribed upon submitting such proof as shall be required by the board.

[1945 c. 512 s. 20]

144.172 **Delayed or Altered Certificates.** Subdivision 1. Certificates accepted subsequent to six months after the time prescribed for filing and certificates which have been altered after being filed with the state registrar shall contain the date of the delayed filing and the date of the alteration and be marked "delayed" or "altered."

Subd. 2. All alterations made on birth and death records shall be in red ink.

Subd. 3. A summary statement of the evidence submitted in support of the acceptance for delayed filing or alteration shall be endorsed on the certificate.

Subd. 4. Such evidence shall be preserved in such manner as the board may prescribe.

[1945 c. 512 s. 21]

144.173 **Before District Court.** Subdivision 1. **Petition; hearing; evidence.** Any person born or residing in this state may also petition the district court of the county in which he resides or was born for an order establishing a public record of the time and place of his birth and his parentage. The petition shall be verified by him and shall allege the facts which he claims entitled him to such an order. The court shall fix the time and place of hearing the petition. At least ten days before the hearing, notice thereof shall be mailed to the county attorney of the county and to the state division of vital statistics and shall be published once in a newspaper of general circulation in the county. Proof of the mailing and publication shall be filed at the hearing. The oral testimony shall be transcribed and together with the other proofs shall be filed in the proceeding.

Subd. 2. **Court order.** If the court is satisfied from the evidence received at the hearing of the truth of the allegations of the petition and of the facts as to the time and place of the petitioner's birth and of his parentage, and that he resides in the county or was born there, the court shall make and

enter an order reciting the jurisdictional facts and determining the time and place of the petitioner's birth and the names of his parents, and any other facts deemed relevant by the court.

Subd. 3. **Certified copy.** A certified copy of the order of the court may be filed in the office of the register of deeds of the county and shall be filed in the office of the state division of vital statistics.

Subd. 4. **Admissible as proof.** The order, the record thereof, and certified copies of the order or of the records shall be evidence of the truth of their contents and be admissible as proof thereof at all times and places the same as certificates of birth mentioned in section 144.167.

[1945 c. 512 s. 22]

144.174 **Probative Value.** The probative value of a "delayed" or "altered" certificate shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence.

[1945 c. 512 s. 23]

144.175 **Access to Records.** Subdivision 1. **Open to inspection.** The birth and death records and files of the division of vital statistics, the local registrars and clerks of the district court are open to inspection, subject to the provisions of sections 144.151 to 144.204 and regulations of the board; but it is unlawful for any officer or employee of the state or any local registrar or clerk of district court to disclose data contained in vital statistical records except as authorized by such sections or by the board.

Subd. 2. **Procedure in case of illegitimacy.** Disclosure of illegitimacy of birth or of information from which it can be ascertained may be made only upon order of a court of competent jurisdiction in a case where such information is necessary for the determination of personal or property rights and then only for such purpose. The birth and death records of the state board of health shall be opened to inspection by the director of social welfare, and it shall not be necessary for said director to obtain an order of the court in order to inspect records of illegitimate children or to secure certified copies thereof.

Subd. 3. [Repealed by 1947 c. 517]

Subd. 4. **Purposes of research.** The board may permit the use of data contained in vital statistical records for research purposes only, but no identifying use thereof shall be made.

Subd. 5. **Direction to local registrars.** Subject to the provisions of this section the board may direct local registrars to make a return upon the filing of birth, death, and stillbirth certificates with them of certain data shown thereon to federal, state, or municipal agencies. Payment by such agencies

for such services may be made through the state registrar to local registrars as the board shall direct.

[1945 c. 512 s. 24]

144.176 **Adoption.** In cases of adoption the state registrar upon receipt of a certified copy of an order or decree of adoption shall prepare a supplementary certificate in the new name of the adopted person, and seal and file the original certificate of birth with said certified copy attached thereto. Such sealed documents may be opened only upon order of the court or, if otherwise found necessary, by the state registrar. Upon the receipt of a certified copy of a court order of annulment of adoption the state registrar shall restore the original certificate to its original place in the file.

[1945 c. 512 s. 25]

144.177 **Legitimation; Proof.** In cases of legitimation the state registrar upon receipt of proof thereof shall prepare a new certificate of birth in the new name of the legitimated child. The evidence upon which the new certificate is made and the original certificate shall be sealed and filed and may be opened only upon order of court or if the state registrar finds it necessary.

[1945 c. 512 s. 26]

144.178 **Institutions.** Persons in charge of institutions for care or correction or for treatment of disease, injury, or childbirth shall record and report all statistical data required by sections 144.151 to 144.204 relating to their inmates or patients under regulations of the board.

[1945 c. 512 s. 27]

144.181 **Burial Permit; Removal of Body from District.** When a death or stillbirth occurs or a dead body is found, the body shall not be disposed of or permanently removed from the registration district until a permit has been issued by the local registrar of the place of death or a sub-registrar or, if necessary to avoid delay, by the state registrar.

The sexton or other person acting as such shall not permit the interment or cremation of a dead human body until a burial permit issued under the provisions of sections 144.151 to 144.204 has been filed with him. He shall keep a record of all interments and cremations stating the name of deceased, place of death, date of burial or cremation, and name and address of the attending funeral director.

[1945 c. 512 s. 28]

144.182 **Death Outside the State; Permit.** When death or stillbirth occurs outside this state and the body is accompanied by a permit for burial, removal, or other disposition issued in accordance with the law and regula-

tions in force where the death or stillbirth occurred, the permit shall authorize the transportation of the body into or through this state but before the burial, cremation or other disposal of the body within this state such permit shall be presented to the local registrar of the district where disposal is to be made who shall keep a record thereof and thereupon issue his permit for such disposal.

[1945 c. 512 s. 29]

144.183 **Regulations Mandatory.** No permit under section 144.181 shall be issued until a certificate of death or stillbirth as far as it can be completed under the circumstances of the case has been filed and until all the regulations of the board in respect to the issuance of such permit have been complied with.

[1945 c. 512 s. 30]

144.191 **Duties of Registrar.** Subdivision 1. **Endorsement on certificate; record; transmit to clerk.** The local registrar shall endorse on each certificate of birth or death filed with him the number of his district, the number of the certificate in consecutive numbers beginning with number one for the first birth or the first death of each calendar year, the date when filed with him, his post office address, and subscribe the same. He shall record such certificates in a suitable record book and, except in cities of the first class shall, forthwith transmit to the clerk of district court of the county in which such birth or death occurred all original certificates of births and deaths received by him.

Subd. 2. **Fees.** Each local registrar shall be paid the sum of 50 cents for each birth, death or stillbirth certificate transmitted by him to the clerk of district court. In case no birth, death or stillbirth occurred during any calendar month the local registrar shall on the 5th day of the following month report to the clerk of district court and be paid the sum of 50 cents for the report. Reports of no birth, death or stillbirth received by the clerk of district court shall be dated and signed upon receipt, credited by him to the proper local registrar, and transmitted by him to the state registrar.

Subd. 3. **Auditor to pay clerk.** Upon certification by the clerk of district court on or before March 1 of each calendar year, the fees of local registrars for the registration and transmittal of birth and death certificates and reports of no birth, death or stillbirth shall be paid by the county auditor out of the general revenue fund of the county.

Subd. 4. **In cities having 100,000 inhabitants.** Local registrars of cities of 100,000 or more population shall transmit to the state registrar on or before the 10th of each month all original birth, death, and stillbirth certificates received for the preceding month.

Subd. 5. **Removal of local registrar; new appointment.** Any local registrar who neglects or fails to discharge his duties as provided by sections

144.151 to 144.204 may, after notice and opportunity to be heard, be removed from office by the state registrar, and thereupon the state registrar may appoint another for the unexpired part of his term. If any local registrar or clerk of district court fails to file or transmit birth, death, or stillbirth certificates according to such sections, the state registrar shall obtain them by other means at the expense of the town, village, city or county concerned, and the necessary expense so incurred shall be paid to the state registrar and by him deposited with the state treasurer who shall credit it to the account of the board from which such expenses were paid.

144.201 **Clerk of Court.** Subdivision 1. **Notify parents; correct certificate.** The clerk of district court, upon receipt of birth certificates from any local registrar, shall date and sign such certificate, shall immediately notify either parent of the child of the exact spelling of names certified to, age, residence and place of birth of parents, and date of birth of child, and compare the correctness of the certificate with the facts as stated. If found incorrect or incomplete, he shall correct such certificate in a manner acceptable to the state registrar.

Subd. 2. **County birth record.** Upon being satisfied that the certificate is correct, the clerk of district court shall prepare an exact duplicate of the original certificate and record in a suitable book, in form approved by the state registrar and furnished at the expense of the county, which shall be designated the county birth record, the following facts as they appear on each certificate:

1. Name of child;
2. Place of birth;
3. Date of birth;
4. Sex;
5. Color of child;
6. Name of father;
7. Color of father;
8. Age of father;
9. Maiden name of mother;
10. Age of mother;
11. Color of mother;
12. Birthplace of father;
13. Birthplace of mother;
14. Number of children of mother;
15. Single, twin or other of plural birth;
16. Date of filing;

which shall constitute a legal birth record, and a certified copy of facts contained in such record shall be evidence in any court to the extent of the original certificate. The clerk of district court shall index such record in a suitable manner at the expense of the county.

[1945 c. 512 s. 32]

144.202 **Duties of Clerk.** The clerk of district court, upon receipt of death certificates from any local registrar, shall date and sign such certificate,

shall ascertain from available documents or from persons who know the correct spelling of name, date of birth, age, residence, and date of death, the correctness of such facts on the certificate. If found incomplete or in error, he shall correct the certificate in a manner acceptable to the state registrar. When the clerk of district court is satisfied with the spelling of name, date of birth, age, date of death, place of death, and place of residence are correct, he shall prepare an exact duplicate of the original certificate and record in a suitable book, in form approved by the state registrar, the following facts as they appear on the certificate:

1. Name of deceased, and name of spouse, if any;
2. Sex;
3. Color of deceased;
4. Conjugal condition;
5. Date of birth;
6. Date of death;
7. Birthplace of deceased;
8. Name of father;
9. Maiden name of mother;
10. Residence of deceased, town, village or city, and county;
11. Date of filing.

The clerk of district court shall index such record in a suitable manner at the expense of the county. Such record shall constitute a legal death record, and a certified copy of the facts contained in such record shall be evidence in any court to the extent of the original certificate.

The clerk of district court shall file and index all duplicate certificates prepared by him of births and deaths.

[1945 c. 512 s. 33]

144.203 **Transmission.** Subdivision 1. **Transmit to state registrar.** On the eleventh day of each month the clerk of district court shall transmit to the state registrar all reports of no births or deaths and all original birth and death certificates received by him on or before the tenth day of that month for births and deaths which occurred during the previous month, and certify the number of birth and death certificates and "no report" cards received from each local registrar. The clerk of district court shall, upon receipt, prepare a certified transcript of birth and death certificates received by him for births and deaths occurring in his county on which the place of residence of the mother of a child or that of the decedent is shown to be in another county of the state and, upon being satisfied that they are correct, shall immediately transmit such certified transcript to the clerk of district court of the county shown on the original birth and death certificates to be the place of residence of the mother or the decedent except where a city of the first class shall be such residence. But in any event, he shall transmit such certified transcripts to the clerk of the district court of the county of residence not later than the eleventh day of the following month. All such certified transcripts received by a clerk of the district court shall be filed and indexed. The facts appearing thereon shall be recorded in the county birth and death record as provided for original certificates by Section 144.201, Subdivision 2, and Section 144.202,

which shall constitute a legal birth and death record, and a certified copy of the facts contained in such record shall be evidence in any court to the extent of the original certificate. All duplicates filed under Sections 144.201 and 144.202 and certified transcripts filed under this section shall be considered for all purposes the same as the original and copies of same certified to by the clerk of district court shall be evidence in any court to the extent of the original certificates.

Subd. 2. **Cities of the first class; fees.** Registrars of cities of the first class shall transmit to the clerks of district court of the counties in Minnesota stated to be the residence of the mother of a child or of a decedent, a transcript of such certificate. Such county, stated to be the residence, shall pay to the local registrar of a city of the first class a fee of 50 cents for each such transcript, payment to be made monthly by the county auditor of the proper county upon certification to him by the clerk of district court the number of such transcripts received.

Subd. 3. **Clerk's fees.** The county auditor, upon certification to him by the clerk of district court of the number of birth and death certificates and transcripts received during the preceding month, shall issue his warrant in the sum of $1.00 to said clerk of district court for each certificate and transcript received, checked, recorded, and indexed, except those certificates on which the residence of the mother of a child or that of the decedent is shown to be in another county of the state, which sum shall be full compensation for all services rendered as provided herein.

[1945 c. 512 s. 34]

144.204 Citation. Sections 144.151 to 144.204 may be cited as the "Uniform Vital Statistics Act."

144.49 Violations; Penalties. Subdivision 2. Any person who wilfully makes or alters any certificate or certified copy thereof provided for in sections 144.151 to 144.204, except in accordance with the provisions of such sections, shall, upon conviction, be fined not more than $1,000, or be imprisoned not exceeding six months or both fined and imprisoned.

Subd. 3. Any person who knowingly transports or accepts for transportation, interment, or other disposition a dead body without an accompanying permit issued in accordance with the provisions of sections 144.151 to 144.204, shall, upon conviction, be fined not more than $500.

Subd. 4. Except where a different penalty is provided in this section, any person who violates any of the provisions of sections 144.151 to 144.204, or regulations of the board, or neglects or refuses to perform any of the duties imposed upon him by such sections or regulations of the board shall be guilty of a misdemeanor.

257.29 Clerk to Report Name of Adjudged Father. Upon the entry of a judgment determining the paternity of an illegitimate child the clerk of the

district court shall notify in writing the state registrar of vital statistics of the name of the person against whom such judgment has been entered, together with such other facts disclosed by his records as may assist in identifying the record of the birth of the child as the same may appear in the office of said registrar. If such judgment shall thereafter be vacated that fact shall be reported by the clerk in like manner.

306.03 Actuary Required to Make Reports. Every such corporation, in addition to its ordinary corporate officers, shall annually appoint an actuary, or provide by its by-laws that its secretary shall perform the duties of such office. The actuary shall keep a register of burials, in which he shall enter the date of burial or cremation, the name, age, sex, nativity, and cause of death of every person interred or cremated in such cemetery, so far as such facts can be ascertained from the friends, attending physician, or undertaker in charge, and, in case of a pauper, stranger, or criminal, from the public official directing the burial. Such record shall be open to public inspection, and the actuary shall furnish to the state board of health and to local health officers, when so requested, an accurate summary of such record during any specified year. He shall report to the adjutant general the burial of any veteran of the Civil War, Spanish-American War, China Relief Expedition, Philippine Insurrection, Mexican Border Service, and the World War, stating the name of such deceased veteran and the location of his grave in the cemetery by lot number.

The following pages contain certain Regulations of the Minnesota State Board of Health which have the force of law.

REGULATIONS

OF THE

Minnesota State Board of Health

The following regulations have been duly adopted by the Minnesota State Board of Health, approved by the Attorney General and a copy filed with the Secretary of State.

Penalty for violation of these regulations is prescribed in Minnesota Statutes 1945, Section 144.49 (See Page 10).

A. J. CHESLEY, M. D.
Secretary and Executive Officer

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REGULATIONS RELATING TO VITAL STATISTICS

3000. Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purpose of the Regulations relating to vital statistics, shall be given meanings ascribed to them.

Subd. 2. "Delayed registration" means a certificate of birth which is filed six or more months after the date established by law for such filing.

Subd. 3. "Date filed" means the date on which a certificate of birth or death is received by and subscribed by a local registrar of vital statistics.

3001. **State Registrar to Maintain Agreement of Records.** It shall be the duty of the State Registrar to insure the agreement of the County Record and the exact duplicate in the custody of the clerk of district court of the county in which a birth or death occurred with the original of such birth and death certificates.

3002. **Only State Registrar to Amend Originals.** Except as he shall otherwise authorize, only the State Registrar shall have the power to make alterations on original birth and death certificates. Corrections of original certificates by clerks of district court and others shall be made by attaching thereto the documentary evidence on which the correction is to be made.

3003. **Verification Queries Need Be Sent But Once.** Clerks of district court shall be required to send only one verification query to parents or informants. Thereafter, when in his judgment it appears to be necessary, the State Registrar shall try to ascertain the correct facts.

3004. Clerk's Duty in Regard to Birth and Death Records Before the Original Has Been Filed with the State Registrar. The clerk of the district court of the county in which a birth or death occurred, upon receipt from the parents of a written statement correcting facts recorded in any birth certificate, the original of which he has not filed with the State Registrar, or upon receipt from an authentic and qualified source of a sworn statement of correction of facts recorded in any death certificate, the original of which has not been filed with the State Registrar, shall, if satisfied that the facts given in such statement are true, correct in red ink the exact duplicate of the original birth or death certificate concerned, and shall note on the record that he has made the correction. He shall forward the original statement of correction received from parents and informants, when corrections are shown thereon, to the State Registrar together with the original birth or death certificate concerned, on the 10th of the month following that in which the birth or death occurred; whereupon the State Registrar shall amend the original certificate accordingly if, in his best judgment, the facts in such statement appear to be true. If they do not appear to be true, he shall immediately notify the clerk of the district court who shall reinstate the exact duplicate so that it will agree with the original certificate.

Whenever, in the judgment of the clerk of the district court, any statement of correction as herein provided appears to be questionable, he may file a copy of the statement in connection with his recordings and forward the original to the State Registrar explaining his objection, whereupon the State Registrar shall decide whether or not correction should be made and notify the clerk of his decision. In all cases involving correction from legitimacy to illegitimacy, or illegitimacy to legitimacy, the clerk shall forward such documents to the State Registrar for decision and disposition.

3005. Corrections to Be Initiated by Clerk of Court at County of Occurrence. Unless otherwise specifically directed by the State Registrar, correction of birth and death records shall be initiated only by the clerk of the district court of the county in which the birth or death occurred, or by the State Registrar.

3006. Verification of Facts Delayed Beyond the 10th. If by the 10th of the month following that in which a birth or death occurred, the clerk of court has not received a reply to his communication sent for the purpose of verifying the accuracy of facts entered on birth and death certificates, he shall make and file the exact duplicate of such original certificates and include such original certificates in the shipment of birth and death certificates which the Laws of 1945, Chapter 512, Section 34, require him to transmit to the State Registrar on the 10th of the month. Upon receipt thereafter of any such reply indicating correction the clerk shall correct his recordings as prescribed and immediately transmit such reply to the State Registrar.

3007. Completion of Birth Record of Child Unattended at Birth. Supplemental information to complete the birth record of a child whose birth

was unattended, and whose parents are not able to prepare a birth certificate, shall not be considered delayed or altered if filed within six months of the date of birth.

3008. Correction of Certificates After the Original Has Been Filed with the State Registrar. The clerk of the district court or the State Registrar may alter any record of birth or death after the original has been filed with the State Registrar, upon receipt in duplicate of one or more affidavits constituting substantial evidence of the facts. (Such certificate, if corrected six months after the time prescribed for filing, must be marked "altered" and the evidence endorsed thereon as prescribed in Laws of 1945, Chapter 512, Section 21.) When required by the State Registrar, additional documentary proof of the allegations set forth in such affidavits shall be demanded. Both the original and the duplicate copy of such affidavits must bear the personal signatures of all signees. Thereupon said clerk shall carefully compare the original and duplicate and, if they agree, place in his files one of such affidavits together with a description of the proof, if any, and send the original affidavit and proof, or a certification of such proof, to the State Registrar. If the birth or death concerned occurred before 1900, a duplicate copy of such affidavit is not required, and the affidavit received and statement of proof shall be filed only by the clerk in connection with the birth or death record in his possession.

Provided that up to one year after having been filed, minor errors made in any birth certificate may be corrected by the attending physician, parent, funeral director, or other who made and filed the certificate in the first place, such minor errors to be designated by the State Registrar in a manual of instructions.

If the clerk of court has any doubt concerning the statements set forth in any such statement of correction or affidavit, he shall forward such statements and both the original and duplicate of such affidavits to the State Registrar, and the State Registrar shall determine whether or not the correction shall be made and notify the clerk of his decision.

Provided that all corrections by said clerks of photo copies of birth and death records in their custody shall be made in such manner as may have been directed by the State Registrar. Provided further that when any such clerk shall have corrected a birth or death record and the State Registrar does not approve the making of such correction, said clerk, at the direction of the State Registrar, shall, in such manner as best possible and practicable, restore the record to its original condition. Provided further that upon receipt of a statement involving a correction of the cause of death or of legitimacy or illegitimacy on any certificate, before altering the county recordings the clerk shall refer such statement to the State Registrar for a decision.

The State Registrar may correct such records in his custody under the same conditions as the clerk of court and he shall thereupon file one copy

of the affidavits and description of proof with the clerk of court in the county in which the birth or death occurred.

3009. Certified Copies of Corrected Recordings. When certified copies made of altered or corrected records show such alterations or corrections in red ink, a summary statement of the evidence shall be included, and the following shall be printed or typed upon said certified copy: "Corrections herein shown were made by the clerk of the district court (or the State Registrar, as the case may be) under the authority of Laws of 1945, Chapter 512, Section 21, Subdivisions 2 and 3, and the Regulations of the State Board of Health."

When a certified copy made of an altered or corrected record shows only the facts as corrected and not those alleged to be wrong, the certification shall include a statement that such copy is of such record as corrected under provisions of Laws of 1945, Chapter 512, Section 21, Subdivisions 2 and 3, and the Regulations of the State Board of Health.

3010. Local Registrar to Add Given Name. Local registrars may correct birth or death records in their custody only upon authorization by the State Registrar. Provided, however, that they may add the given name to their copy of any birth certificate which has been on file one year or less upon receipt of a supplemental report. Certified copies of records corrected by the local registrar shall show the corrections in the same manner as is provided for herein for the State Registrar and clerks of district court.

3011. Delayed Registrations. The proof required by the Board for the filing of a delayed certificate of birth or death and the manner of filing shall be as follows:

Delayed registrations of birth are hereby divided into two classes, one of which is to contain those registrations between the age of six months and four years, the second class to contain those registrations filed subsequent to the fourth birthday of the person therein described.

Delayed registrations of birth of persons less than four years old shall be made and subscribed by the attending physician, if any, or otherwise by any person or persons having personal knowledge of the facts of birth as given by them in such certificate. Such delayed registration shall be filed with the local registrar of the district in which the birth occurred and shall be recorded by him and, except in cities of 100,000 or more population, transmitted to the clerk of district court who shall copy such certificate and transmit the original to the State Registrar.

Delayed registrations of birth filed subsequent to the fourth birthday of the person described therein shall be filed with the State Registrar by the clerk of the district court of the county in which such birth occurred, and if such birth occurred in a city of 100,000 or more population, with the local registrar of such city. Whenever, for such delayed registration, the birth certificate is not made and subscribed by the physician who attended

the birth, the birth certificate shall be made and subscribed by the nearest kin, if any, or otherwise by any person or persons having personal knowledge of the facts of birth as given by them in such certificate, and such certificate shall be accompanied by supporting affidavits executed by the person or persons making and subscribing the certificate, and by two pieces of documentary evidence of the Type A containing proof of the place of birth, date of birth or age, and parentage, or one of the Type A and one of Type B; or in lieu of either of the foregoing combinations, a total of three pieces of Type B evidence. Such evidence is defined as follows:

Type A—established before the fourth birthday of the applicant.

Type B—established after the fourth birthday, but at least five years before the delayed registration is filed, unless the child is but four years of age when the evidence may be of later date.

Birth records filed as delayed registrations subsequent to the fourth birthday of the person described shall be made in duplicate. When presented in the first instance to the clerk of the district court or to the registrar of a city of 100,000 or more population, such clerk or registrar shall carefully compare both original and duplicate and, if they agree, shall make an abstract in duplicate of the evidence in the manner and upon the form prescribed by the State Registrar and shall place the duplicate copy of such birth record and such abstract in his files and send the original of such documents to the State Registrar. The State Registrar shall place such birth record and abstract of the evidence on file. Only clerks of district court, local registrars of cities of the first class, the State Registrar and District Courts shall be deemed competent to evaluate proof submitted for such delayed registration.

Any death certificate filed between six months and four years after death shall be marked delayed and shall be made and filed in the same manner as death certificates filed on time.

A delayed registration of death not filed until four years or more after death shall be made in duplicate and filed in the same manner, and with the same registration officials, as a delayed registration of birth filed subsequent to the fourth birthday. Such delayed registration of death shall, when possible, be subscribed by the funeral director and attending physician; otherwise by the nearest kin, if any; or otherwise by a person or persons who of their own knowledge know the facts as given by them in such certificate; and it shall be accompanied by supporting affidavits made by the person or persons making and subscribing the certificate and by such other documentary proof as may be required by the State Registrar under the specific circumstances.

Clerks of district court and the registrar of vital statistics in cities of 100,000 or more population shall comply with the directions of the State Registrar as to the forms to be used for recording delayed registrations of

birth and death, the facts to be contained therein and the proof submitted in corroboration of the facts recorded.

Delayed registrations of births or deaths occurring prior to 1900 shall be filed with the clerk of district court in the county in which the birth or death occurred. or if in a city of 100,000 or more population, with the local registrar of vital statistics of such city. It shall not be necessary for the birth or death record of such delayed registration to be made in duplicate or that a copy of it be sent to the State Registrar.

3012. **Manner Prescribed by Board for Preservation of Delayed Registration Evidence.** The Board prescribes that documentary proof relating to delayed registrations of birth or death or used in the alteration of certificates of birth or death shall be preserved in any one of the following forms: Abstracts, certified copies, or photographic copies, made by or abstracted by the officers empowered to issue delayed certificates of birth or death or to make material alterations on certificates of birth or death. Where satisfactory to the parties concerned, the original proof may be preserved in lieu of a certified copy or abstract thereof.

3013. **Birth Certificates. Physician's Duty—Local Registrar's Duty.** The physician, midwife, or other legally authorized person in attendance at the birth, or if not so attended, one of the parents, shall within five days thereafter subscribe and file in such form as prescribed by the State Board of Health on one of the blanks supplied by said Board for that purpose, a certificate of birth with the local registrar of the district within which the birth occurred, except in the case of an illegitimate child when such certificate shall be filed direct and only with the State Registrar. The local registrar shall file and date all birth and death certificates immediately upon their receipt and within three days thereafter shall record them in the manner prescribed by the State Registrar, and forthwith transmit such certificates to the clerk of the district court of the county in which such birth or death occurred.

3014. All references to time of birth or death given upon a birth or death certificate shall be based on Central Standard Time, and the words, "Central Standard Time," shall be added to the hour of the birth or the death as such hour is given upon such certificate.

3015. **Illegitimate Births, Reporting of.** The name of the putative father, or other identifying details relating to him, shall not be entered without his consent on the birth certificate or death certificate of a child born out of wedlock, except as hereinafter provided:

Whenever the father of an illegitimate child has acknowledged such a child's paternity by affidavit, the said father's name and sufficient information to identify him shall be entered on the said child's record providing

the said father has given his written consent to have the addition made thereto.

3016. Sub-registrar's Duties. Every sub-registrar shall note upon each death certificate filed with him, the date of filing, sign the same, and forward it to the local registrar of the proper district within three days after receipt.

3017. Embalmer and Funeral Director Reports. Every person, firm or corporation selling a casket shall keep a record showing the name of the purchaser, purchaser's post office address, name of deceased, date of death, and place of death of deceased, which record shall be open to inspection of the State Registrar at all times. On the first day of each month the person, firm or corporation selling caskets, and every funeral director or embalmer attending the burial or conducting the funeral of a person, shall report to the State Registrar such facts as he shall require for the preceding month on a blank provided for that purpose, but no person, firm or corporation selling caskets only to dealers, funeral directors or embalmers shall be required to keep such record.

Every person, firm or corporation selling a casket at retail, and not having charge of the disposition of the body, shall enclose within the casket a notice furnished by the State Registrar calling attention to the requirements of the law, a blank certificate of death, and the statutes and regulations of the State Board of Health concerning the burial or other disposition of a dead body.

3018. Hospital Reports. All superintendents, managers or persons in charge of lying-in or other hospitals, almshouses, charitable or other institutions, public or private, to which persons resort for confinement, treatment of disease, care, or are committed by process of law, shall on or before the 10th of each month file with the State Board of Health, on a blank provided by such Board for the purpose, a report of all births and deaths or stillbirths occurring in such institution during the previous month.

3019. Notice of Removal. In any case where it is impossible to secure a proper certificate of death or burial-removal or transportation permit without great delay, the attending embalmer, or in cases not dead of a communicable disease or cases not requiring a transportation permit, the funeral director, is authorized to remove the body to another registration district providing such certificate is filed and the required permits obtained before the body is buried, cremated, further transported or otherwise disposed of. Under such circumstances the embalmer or funeral director shall, before removing the body, mail or place in the nearest post office, or hand to the local registrar in person, a notice of removal provided for the purpose by the State Registrar, stating therein why he could not obtain the above papers, the date and time on which he removed the body, and the point to which the body was removed. Any funeral director or embalmer who fails to comply in full with the requirements herein stated with regard to certificates and permits shall in all cases thereafter be required to obtain

the death certificate and other necessary permits before burial or transportation or permanent removal of the body from the district where death occurred.

3020. **Cemetery Official to Be Appointed.** Individuals, associations or corporations owning or operating cemeteries shall arrange for and appoint some person who shall be responsible both for receiving, filing and preserving permits for burial-removal and transportation as required, for bodies to be interred or cremated in such cemetery, and for the enforcement of the statutes requiring permits for such interments or cremations. Provided that in cases where there is no association, person or corporation responsible for the maintenance of a cemetery, the funeral director in charge of interment in such cemetery shall, over his signature, write upon the permit or permits issued in that case the following: "No association, person or corporation responsible for this cemetery," together with the name of the cemetery and the city, village or township and county in which it is located, and thereupon mail such permit to the State Registrar.

3021. **Adjudication of Paternity.** Upon receipt from a clerk of district court of a notice in writing of a judgment determining paternity of an illegitimate child, the State Registrar shall record the name of the father and such data to identify the judgment in connection with the record of the birth of the child in his office, and also in connection with the death record of the child if there be such record. Likewise, whenever any district court shall enter a judgment that any person named on a birth certificate or on a death certificate as the father of an illegitimate child is not in fact the father of such child, the clerk of district court shall forward to the State Registrar a copy of the court's judgment, whereupon the State Registrar shall correct the statement relating to paternity on the birth certificate or death certificate and permanently file the copy of such judgment.

3022. **Abstract of Birth in Stepfather's Name under Certain Conditions.** Upon the recommendation of the Director of Social Welfare or a duly authorized representative of a county welfare board, the State Registrar may issue an abstract of birth to an illegitimate child under the surname of said child's stepfather, providing the stepfather has given his consent in affidavit form. His wife shall join in the affidavit. Neither the stepfather's name nor the child's mother's name shall appear on the birth abstract, and there shall be no mention made of the child's birth status but place and date of birth shall be shown.

3023. **Abstract of Birth in Foster Parents' Name under Certain Conditions.** Upon recommendation of the Director of Social Welfare or a duly authorized representative of a county welfare board, the State Registrar may issue an abstract of birth to an illegitimate child under the surname of the family with whom the child has lived and which name the child has used, together with the place and date of birth; but the names of the foster parents shall not appear on the birth abstract and there shall be no mention of the birth status.

3024. **Legitimation of Birth.** Whenever the parents of a child whose birth has been reported to the State Board of Health as illegitimate shall marry each other and when the father of such illegitimate child shall execute an affidavit that he is the father of said child and that at a certain specified time he married the mother of said child and shall mail said affidavit to the State Registrar, then the State Registrar shall prepare and file a new certificate of birth in the new name of the legitimated child. If for some valid reason such as death of the husband or inaccessibility for some other reason it is impossible to obtain the affidavit above referred to, and the paternity has been established either by adjudication or by the father's written acknowledgment under oath, the State Registrar shall make a new birth record of said child so as to indicate the child is a legitimate child, upon receiving satisfactory proof of the parents' marriage and either notice of adjudication from the clerk of district court or the father's written acknowledgment of paternity under oath.

3025. **Lists of Names Not to Be Sold, etc.** The State Registrar, local registrars and clerks of district court shall not prepare for sale or gift for commercial purposes information identifying persons recorded in birth and death certificates; neither shall hospital administrators, nor funeral directors or embalmers use the vital records for any such purpose.

3026. **False Information.** No person shall furnish false information in the preparation of any certificate of birth or death, any certificate of delayed registration of birth or death, or any evidence purporting to change information contained on birth or death certificates already on file, or any record used in conjunction with the burial or other disposition of a human body.

3027. **Clerk to Keep His Files in Order.** The clerk of district court shall keep his files of birth and death records in such form that he can immediately locate any record in his possession required by the State Registrar, and know whether or not the original record has been received by him.

3028. **Effective Date.** Regulations 3000 to 3028, both inclusive, shall take effect January 1, 1946.

The following Regulations adopted by the State Board of Health are repealed on January 1, 1946:

Regulation 1, as adopted by the State Board of Health on July 24, 1943.

Regulation 2, as adopted by the State Board of Health on July 24, 1943.

Regulation 3, as adopted by the State Board of Health on July 24, 1943.

REGULATIONS RELATING TO THE DISPOSAL AND TRANSPORTATION OF THE DEAD

DISINTERMENT AND REINTERMENT PERMITS

23. No person, except a licensed embalmer, and then only after first having obtained a permit therefor from the local health officer and the local registrar of vital statistics, as hereinafter prescribed, shall disinter the body of a deceased person; provided, the authorities in charge of a cemetery may transfer bodies buried therein from one part of such cemetery to another part thereof with the approval and under supervision of the local health officer.

Any person desiring such a permit shall first secure from the actuary or secretary or other person in charge of the cemetery records a written statement showing that such body is buried in that cemetery and giving thereon the name of deceased, age at time of death, date of death, cause of death, and date of burial. He shall present this statement to the proper local health officer and make application for permission to disinter and remove such body.

Provided, if there is no such cemetery record then such statement by relatives of the deceased or other competent person or persons who are empowered to cause such disinterment and removal, shall be presented. Provided further, if the health officer has cemetery records of the cemeteries in his municipality and a record of such interment, no such written statement need be secured or filed with him.

The local health officer shall question the applicant as to the manner in which it is proposed to disinter, handle and dispose of the remains, and shall give and enforce such directions for disinterment, removal and reinterment as he deems necessary for the protection of the public health. Such local health officer shall thereafter notify the local registrar of vital statistics orally or in writing if he has approved such application.

The applicant shall thereupon apply to the registrar of vital statistics having jurisdiction over the district in which the body proposed to be disinterred is buried, who shall issue a written "disinterment-reinterment" permit, using for such purpose the form now provided by the State Board of Health for original interments and noting thereon the words "disinterment-reinterment permit." Such permit shall not be issued by sub-registrars.

The sexton or person in charge of any cemetery, burial place or other premises shall not inter or permit the interment or other disposition of the disinterred body of a deceased person until he receives a "disinterment-reinterment permit" in the same manner as is provided by Section 5361, General Statutes of Minnesota 1923, for recording permits for original interments.

BURIAL OF DEAD FROM COMMUNICABLE DISEASES

24. Only licensed embalmers shall be permitted to take charge of the remains of persons who have died of any communicable disease. When such body is to be shipped, preparation must be in accordance with Regulation 36.

Private Funerals

The funeral shall be strictly private when the death has been due to diphtheria, influenza, meningitis (meningococcus), poliomyelitis, scarlet fever, epidemic sore throat, or smallpox.

Private funeral is not required when services are held over a body exhumed for removal or shipment six months or more after death from a communicable disease or if permitted by the health officer at place of interment in cases where that health officer finds that no relative of the deceased or other person who will be present at the funeral was in contact with the deceased within 15 days before death occurred.

Private Funeral Defined

A private funeral allows the presence of the immediate family but requires the exclusion of all other persons not resident in the household with the deceased, and already exposed to infection, except the embalmer and his necessary assistants and a minister who shall be present only when the embalmer in charge of the case is also present and who shall be directed by said embalmer as to the precautions to be taken.

Private funerals shall not be held from churches. Neither the funeral party nor the body may be taken to a church. Attendance at interment is limited to those enumerated above.

TRANSPORTATION OF THE DEAD

27. All shipping permits issued in Minnesota for the transportation of the remains of the dead must be signed by a licensed embalmer. A firm name must not be used in the signing of such permits

28. The shipment of the dead must be governed by the transportation regulations adopted by the Minnesota State Board of Health.

30. The remains of the dead must be prepared for shipment by a licensed embalmer.

31. Railroad officials and employees throughout the State of Minnesota must not receive for shipment the remains of any dead person unless the same have been prepared by a licensed embalmer.

TRANSPORTATION PERMIT—WHEN REQUIRED

35. A transit permit issued by the proper death registration authorities shall be required for each body transported by common carrier, and in all cases when transported by automobile, airplane or any other conveyance in lieu of common carrier, as hereinafter provided, and in every case when removed out of the state.

It shall contain the information required on the blank furnished by the State Board of Health for the shipment of the dead and be properly signed by the local registrar, the embalmer, and person in charge of the conveyance.

The transit permit shall be given to the person in charge of the corpse, or if shipped by express, attached to the coffin box, and in either case delivered with the body at the destination to the sexton or other person in charge of the cemetery, together with the burial permit, or obtain a permit from the health officer in cities that have local ordinances requiring burial permits by him in all cases.

Re-shipment

When it is desired to re-ship a body after it has reached its original destination and provided interment has not taken place, the original transit permit and burial permit shall be filed with the local registrar at the original destination and a new transit permit and burial permit shall be obtained at this original destination for shipment to the final destination.

Transportation by Automobile

When the points of shipment and destination are separated by three or more intervening municipalities (towns, villages or cities) and said points are connected by common carriers having regular daily railway passenger, baggage and express service, then in such cases a human dead body that is to be transported between said points by automobile, wagon, or in any manner other than by railway train, shall be prepared in the same manner as when shipped by common carrier, and the regular transit permit shall be made out and shall accompany the body as herein provided, except that when movement is made by automobile conveyance, wagon or airplane the body after being properly dressed, covered with clean sheets and blankets may be placed in a standard mortuary basket or on a regulation ambulance cot with the head supported by a pillow. If on such a cot the body may also be inclosed in an especially prepared zipper bag. "Properly dressed" is interpreted to mean covered with usual bed clothing, underwear or other conventional clothing and with stockings or socks.

TRANSPORTING DEAD OF ANY COMMUNICABLE DISEASE

36. The transportation of bodies dead of those diseases which in Regulations 300 and 301 are defined as communicable, shall be permitted only under the following conditions:

The body shall be thoroughly embalmed with an approved disinfectant fluid, all orifices and discharging sinuses be closed with absorbent cotton, the body shall be washed with the disinfectant fluid and placed at once in the coffin or casket which shall be closed immediately. The coffin or casket shall be placed in a tightly fitted, strong outside box of wood or metal. If shipment is to be made by automobile conveyance or airplane, the coffin or casket and outside box may be omitted and the body placed in a standard basket or on a regulation ambulance cot and dressed and covered as is provided in Regulation 35, for shipment by automobile or other conveyance in lieu of train. If the condition of the body is such that it cannot be thoroughly disinfected by embalming it shall in all cases be placed in a metal or metal-lined coffin or the coffin inclosed in a metal or metal-lined outside box, and which metal casket or box shall be hermetically and permanently sealed.

TRANSPORTING DEAD OF NON-COMMUNICABLE DISEASE

38. The transportation of human bodies dead of non-communicable disease shall be permitted under the following conditions:

(a) When the destination will be reached in eighteen hours after death, the body shall be inclosed in a sound coffin or casket and a strong and tight outside box; provided that when shipment is by automobile conveyance, airplane or wagon, the coffin or casket and outside case may be omitted, provided the body is dressed, covered and placed in basket or on a cot as is provided for in Regulation 35 concerning shipment by automobile or other conveyance in lieu of train.

(b) When the destination will not be reached within eighteen hours after death, the body shall be thoroughly embalmed and shipped in accordance with the provisions in paragraph (a) of this regulation.

TRANSPORTING DISINTERRED BODIES

39. No disinterred body dead from any disease or cause shall be shipped unless approved as is required by Regulation 23, by the health authorities having jurisdiction at the place of shipment, and transit permit signed by the local registrar as provided in Regulation 35 is required.

All disinterred remains shall be enclosed in a sound, tight box and not thereafter opened, provided that bodies in a receiving vault when prepared by licensed embalmers shall not be regarded as disinterred bodies unless the health officer so rules. In townships having no physician as medical health officer for the township, a body shall be regarded as disinterred after the expiration of thirty days from the time of death.

OPENING OF SEALED CASKETS

42. The opening of hermetically sealed caskets containing disinterred remains of persons dead from any cause and shipped for burial in Minnesota is hereby forbidden except when so ordered by a court of competent jurisdiction.

KIND OF CONVEYANCES PERMITTED

45. In the transportation of any dead body the following conveyances may be used: (1) Baggage or express car, (2) boat, (3) hearse, (4) ambulance, or (5) any standard automobile properly designed and manufactured for the transportation of dead human bodies, or in any wagon, sleigh or airplane.

MOVING BODIES LOCALLY

46. (a) When a body of a person dead of a communicable disease is to be moved within the municipality in which death occurred or a short distance to a nearby municipality, and which moving does not bring it under the transportation regulations, it must be embalmed as soon as practicable and if moved before embalming it is to be wrapped in a sheet previously dipped in some antiseptic solution, such as bichloride of mercury 1:1000 dilution. It shall be covered, placed on cot or in basket, coffin or casket, and carried in accordance with the provisions of Regulation 35 except in relation to transit permit, which permit is not required.

(b) When a body of a person dead of a non-communicable disease is to be moved as outlined in paragraph (a), it must be in accordance with the provisions of paragraph (a) except no embalming is required if it is buried within seventy-two hours after death.

ASHES OF THE DEAD

49. Cremation of a dead human body shall be considered as a final disposal of that body. No additional permit covering transportation, interment or other disposal of the ashes of a cremated body, or concerning the kind of container in which such ashes are placed for preservation or transportation is required.

NOTE: Other regulations relating to the licensing of embalmers and the transportation of the dead will be found in the pamphlet of laws and regulations published by the State Department of Health and on the printed shipping forms provided for such purpose. It should be noted that the transportation of a dead human body by automobile or any other conveyance comes under the transportation regulations under certain conditions just as shipment by railway train.

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